

भारत का राजपत्र

The Gazette of India

असाधारण

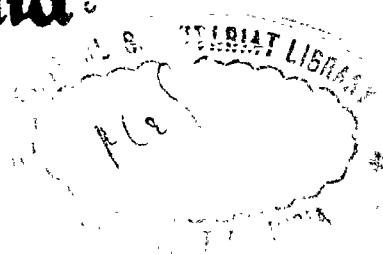
EXTRAORDINARY

भाग II — खण्ड 2

PART II — Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bill was introduced in the Lok Sabha on 7th August, 2000.

BILL No. 133 OF 2000

A Bill further to amend the Protection of Human Rights Act, 1993.

BE it enacted by Parliament in the Fifty-first Year of the Republic of India as follows:—

- | | |
|---|---------------------------------|
| 1. This Act may be called the Protection of Human Rights (Amendment) Act, 2000. | Short title. |
| 2. After section 40 of the Protection of Human Rights Act, 1993, the following section shall be inserted, namely:— | Amendment of Act
10 of 1994. |
| "40A. The power to make rules under clause (b) of sub-section (2) of section 40 shall include the power to make such rules or any of them retrospectively from a date not earlier than the date on which this Act received the assent of the President, but no such retrospective effect shall be given to any such rule so as to prejudicially affect the interests of any person to whom such rule may be applicable.". | |

Power to
make rules
retrospectively.

STATEMENT OF OBJECTS AND REASONS

Section 11 of the Protection of Human Rights Act, 1993 provides that the salaries and allowances payable to, and the other terms and conditions of service of the officers and other staff appointed by the Commission shall be prescribed by rules. Accordingly, the Central Government notified the National Human Rights Commission (Conditions of Service of Officers and Staff) Rules, 2000. While examining the question of revising the salary and allowances payable to the officers and other staff of the said Commission with effect from 1st January, 1996 on the basis of the recommendations of the Fifth Central Pay Commission by suitably amending the relevant rules, it has been observed that there is no enabling provision in the said Act to give retrospective effect to these recommendations. In order to overcome this difficulty, it is proposed to amend the Protection of Human Rights Act, 1993 to provide for an enabling provision to make rules with retrospective effect not earlier than the date of commencement of the said Act.

2. The Bill seeks to achieve the above object.

NEW DELHI;

L. K. ADVANI.

The 27th July, 2000.

G. C. MALHOTRA,
Secretary-General